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Attorneys for Defendant Google LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CHEYNE ANDERSON, JESUS
CASTELLANO, HANNAH MIRZA,
KATHLEEN O'BEIRNE, SETH TAYLOR,
WILLIAM VAN DER LAAR, MARK
WESLEY DUDLEY, RACHEL WESTRICK,
JIAJUN XU, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No. 25-CV-03268-BLF

**DEFENDANT GOOGLE LLC'S
RESPONSE TO MOTION FOR LEAVE
TO AMEND**

Date: January 22, 2026
Time: 9:00 AM
Dept.: Courtroom 1
Judge: Hon. Beth Labson Freeman

TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD,
PLEASE TAKE NOTICE THAT Defendant Google LLC (“Google” or “Defendant”),
by and through its undersigned counsel, states as follows:

Google has conferred with Plaintiffs’ counsel and reports that the Parties believe that the Court’s September 23, 2025 Order (ECF No. 40) supersedes Plaintiffs’ pending Motion for Leave to File an Amended Complaint (ECF No. 31), which the Court should now deny as moot. If, however, the Court does not deem that Motion moot, Google does not oppose it subject to the following:

1. Google’s non-opposition is limited to the [Proposed] Second Amended Complaint submitted with Plaintiffs’ Motion (ECF No. 31-2) and does not extend to any future amendments.

2. Plaintiffs shall remove the San Francisco claim that the Court held preempted in its September 18, 2025 Order on Google’s Motion to Dismiss. (ECF No. 37, at 5.)

Google reserves all rights, defenses, and objections to the amended pleading, including the right to move to dismiss, strike, or otherwise challenge the operative complaint, and to oppose class certification and any other relief.

Accordingly, Google respectfully requests that the Court (a) deny Plaintiffs’ pending Motion for Leave to File an Amended Complaint (ECF No. 31) as moot and vacate the January 22, 2026 hearing date; or, alternatively, (b) grant Plaintiffs leave to file an amended complaint conforming to the conditions above and vacate the January 22, 2026 hearing date.

Dated: September 24, 2025

Respectfully submitted,

JONES DAY

By: /s/ Aaron L. Agenbroad

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